IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CONTEMPT PETITION NO.176 OF 1996
IN
SECOND APPEALNO.333 OF 1995

Sou. Rukminibai R. Pawar,
since deceased, by her L.R.
Chandrakumar R. Pawar & Anr. .... Petitioners
Vs.
Laxmanrao Shankarrao Shinde .... Respondent

Shri S.J. Rairkar for the Petitioners.

Shri G.M. Khamnete for the Respondent.

CORAM: R.M.S. KHANDEPARKAR, J.

DATED: DECEMBER 07, 2004

P.C:

The grievance of the petitioners is that inspite of the interim order passed in the Second Appeal No.333 of 1995 directing the respondents not to use the probate in any manner, the respondents filed a Suit in March, 1996 during the pendency of the said Second Appeal and obtained order to maintain status quo in relation to the property to which the Will referred to. Undoubtedly, the Second Appeal was dismissed on 25-7-1990 and consequently the interim order passed therein also stood vacated. Besides, the order which was obtained in the Suit was merely directing the parties to maintain status quo in relation to the property which was also the subject-matter of the Will. In such circumstances, at

this stage, by proceeding against the respondents for the alleged contempt of Court on account of the alleged violation of the interim order passed in the Second Appeal, no purpose will be served and, therefore, the petition is rejected. The notice stands discharged.